

What Must Be Electronically Filed and What Will Be Accepted in Paper

Paper Filings in Criminal Cases

Documents from attorneys in criminal cases must be filed electronically except for the following documents/proceedings that must be paper filed.

- Expungement petitions for charges with no case in the courts' case management system *(When a case is not in the case management system, it is typically because the case was filed prior to 1992 or an arrest was made, but charges were never filed.)*
- Investigative Subpoenas (criminal investigations)
- Material witness warrants
- Search warrants filed by prosecutors
- Extradition cases
- Administrative checkpoint requests
- Arrest warrants filed by prosecutors may be electronically or paper filed
- Documents filed into sealed cases
- Documents filed with a motion to classify as sealed may be paper filed or electronically filed.

Documents generated in court during a **scheduled** courtroom proceeding may be signed and filed on paper during the hearing. This includes affidavits of indigency, statements of defendants and plea agreements. Paper documents related to proceedings not on the court calendar will not be accepted in court.

Any paper filed document, not received into evidence, will be scanned into the file and the paper will be destroyed. Please do not submit original paper documents unless they are being received into evidence.

In the event of an attorney declaring that refusing to accept a paper filing negatively impacts the liberty rights of the defendant, the service representative or judicial assistant receiving the request should escalate the request to their manager. Each district will have an escalation plan in place suitable to that court location. Each escalation plan should assure front line staff receives proper support and defendants' rights are not compromised.

Probable cause statements submitted for judicial determination of bail or for issuing warrants are typically filed by law enforcement officers and not subject to electronic filing requirements. Probable cause statements filed by law enforcement officers may be filed on paper.

Paper Filings in Civil Cases

The court will not accept paper filings from attorneys at front counters, in drop boxes or through the mail. Paper filings that are part of a courtroom proceeding will be accepted. Filings will not be accepted from process servers on behalf of attorneys or from clients on behalf of counsel.

- Demand for Notice in a probate case may be filed on paper if there is no existing case. If there is an existing case, the Demand for Notice should be electronically filed to that case.
- Individuals (or companies) collecting on small claims judgments are allowed to paper file. They are considered self-represented parties.
- Paper copies of wills may still be submitted for safekeeping.
- Documents filed into sealed cases must be paper filed.
- Courtesy copies may be submitted to judges in paper. They are not electronically filed.
- Attorneys who are not members of the Utah State Bar, but are attorney of record on a case (pro hac vice) must electronically file through local counsel. Out-of-state depositions will be accepted in paper.

Monies

Filing fees – Filing fees are required to be submitted with the electronic filing. If a waiver of fees application submitted electronically is denied, the filing fee must be submitted by mail or over the counter. It may be submitted by check or credit card.

Trust monies – Trust monies cannot be submitted electronically at this time. Trust monies may be submitted over the counter or through the mail. Any documents associated with a trust deposit must be filed electronically. Courtesy copies may be submitted with the deposit. Remind attorneys to add the case number to checks submitted over the counter or by mail.

Civil bench warrants – Process servers may file the civil bench warrant paperwork and deposit funds over the counter or by mail.

Exhibits

Exhibits submitted to the court and received into evidence are not electronically filed.

Things

As a practical matter, some “things” cannot be electronically filed and must be accepted at the front counter. Examples are: 1) oversize documents that need to remain larger than 8 ½ x 11 in order to be readable, 2) plat maps, 3) stock certificates, 4) compact disks or DVDs, or 5) high quality photographs that lose too much resolution in scanning to 8 ½ x 11 format. Items that cannot be electronically filed should be offered into evidence at an evidentiary hearing or trial, if possible. Please refer to local judicial orders regarding filing these items.